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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JEANNE LLERA, and JORGE L. GOMEZ,
 as the appointed co-special administrators of
 the estate of JORGE A. GOMEZ; JEANNE
 LLERA; and JORGE L. GOMEZ,

Plaintiffs,

v.

LAS VEGAS METROPOLITAN POLICE
 DEPARTMENT; RYAN FRYMAN; DAN
 EMERTON; VERNON FERGUSON;
 ANDREW LOCHER; JOHN SQUEO; and
 DOES 2-10, inclusive,

Defendants.

Case No.: 2-20-cv-01589-RFB-BNW

**STIPULATION AND ORDER TO
 EXTEND DISCOVERY**

(Fourth Request)

The parties hereby stipulate as follows to extend the dispositive motion deadline by 45 days
 and all other pretrial deadlines by 15 days.

I. CURRENT DEADLINES.

The following are the current deadlines:

CURRENT DEADLINE	EVENT
09/29/2021 ¹	Deadline for Rebuttal Expert Disclosures
10/29/2021 ²	Discovery Deadline
10/29/2021 ³	Deadline for Dispositive Motions

¹ Dkt. 45 contains this deadline.

² Dkt. 45 contains this deadline.

³ Dkt. 35 contains this deadline.

CURRENT DEADLINE	EVENT
11/30/2021 ⁴	Deadline for the Joint Pretrial Order (the filing of a dispositive motion will suspend the joint pre-trial order deadline until 30 days after a decision on the motion or until otherwise ordered by the court)

II. DISCOVERY CONDUCTED TO DATE.

To date, Plaintiffs have deposed the Defendant-Officers, and Defendants have deposed Plaintiffs. Defendant Officer John Squeo deposed seven nonparty officers in April 2021 and deposed a nonparty tow truck driver in July 2021. Plaintiffs are scheduled to depose the coroner on October 14, 2021. The parties have disclosed initial expert witnesses, served and responded to written discovery, and subpoenaed documents from nonparties.

III. DESCRIPTION OF THE REMAINING DISCOVERY.

The parties wish to disclose rebuttal experts, serve additional written discovery and subpoenas duces tecum, and depose additional nonparty witnesses and experts.

IV. REASONS FOR EXTENDING THE DEADLINES.

LR 26–3 states the following, in relevant part:

A motion or stipulation to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR IA 6-1, be supported by a showing of good cause for the extension. A motion or stipulation to extend a deadline set forth in a discovery plan must be received by the court no later than 21 days before the expiration of the subject deadline. A request made within 21 days of the subject deadline must be supported by a showing of good cause. A request made after the expiration of the subject deadline will not be granted unless the movant also demonstrates that the failure to act was the result of excusable neglect.

Defendants wish to extend all deadlines by 15 days because they cannot meet the current rebuttal expert disclosure deadline. The parties exchanged initial expert disclosures on August 31, 2021. One of Defendants' potential rebuttal experts informed Defendants on September 9, 2021, that he cannot meet the current rebuttal disclosure deadline. Defendants immediately asked Plaintiffs that

⁴ Dkt. 35 contains this deadline.

1 same day to extend the pretrial deadlines, and Plaintiffs graciously agreed to a 15-day extension.

2 Currently, the dispositive motion deadline is the same day as the deadline for the close of
3 discovery. The parties wish to extend the dispositive motion deadline so that dispositive motions
4 will be due 30 days after the close of discovery.

5 **IV. PROPOSED EXTENDED DEADLINES.**

6 The parties propose extending the deadlines as follows:

7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	PROPOSED EXTENDED DEADLINE	CURRENT DEADLINE	EVENT
	10/14/2021	09/29/2021	Deadline for Rebuttal Expert Disclosures
	11/15/2021	10/29/2021	Discovery Deadline
	12/15/2021	10/29/2021	Deadline for Dispositive Motions
	01/18/2022	11/30/2021	Deadline for the Joint Pretrial Order (the filing of a dispositive motion will suspend the joint pre-trial order deadline until 30 days after a decision on the motion or until otherwise ordered by the court)

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Order

IT IS SO ORDERED

DATED: 1:11 pm, September 14, 2021

**BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE**

1 IT IS SO STIPULATED.

2 DATED this September 13, 2021.

DATED this September 13, 2021.

3 MCNUTT LAW FIRM. P.C.

LAW OFFICES OF DALE K. GALIPO

4
5 /s/ Matt Wolf

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Counsel for Plaintiff

9 DATED this September 13, 2021.

10 MARQUIS AURBACH COFFING

11
12 /s/ Craig Anderson

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Counsel for LVMPD Defendants